3978 pd

BILL NO. Z-78-02-26

ZONING MAP ORDINANCE NO. Z- Withdrawn

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. O-2.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a M1 District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. O-2, referred to therein, established by Section 33-11, of said Chapter are hereby changed accordingly, to-wit:

Lots 42, 43, 44, 45, & 46 Eliza Hanna Seniors Addition to the City of Fort Wayne, together with a tract of land described as follows, to-wit: Commencing at the northwest corner of Lot 42 in Eliza Hanna Seniors Addition to the City of Fort Wayne; thence west 12½ feet; thence south to the intersection of the east boundary line of the tract of land known as Hanna Homestead and the north line of Hugh Street, thence northerly on said east boundary line to the place of beginning, and also Lots 18, 19 and 20 Hanna Homestead Place to the City of Fort Wayne, Indiana, according to the plat thereof in Plat Record 5, Page 77.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian G. Schmidt
Councilman

APPROVED AS TO FORM
AND LEGALITY,

CITY ATTORNEY

Read the first time in full and on motion by J. Schmidt, seconded by

Talarico, and duly adopted, read the second time by title and referred to the

Committee on Regulations (and the City Plan Commission for

recommendation) ~~and Public Hearing to be held after due legal notice, at the Council Chambers,~~

~~City-County Building, Fort Wayne, Indiana, on~~ _____, ~~the~~ _____ day

of _____, 19__, at _____ o'clock ____ M.,E.S.T.

DATE: 2-28-78

Charles W. Westerman
CITY CLERK

Read the third time in full and on motion by _____,

seconded by _____, and duly adopted, placed on its passage.

PASSED (LOST) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES					
BURNS					
HINGA					
HUNTER					
MOSES					
NUCKOLS					
SCHMIDT, D.					
SCHMIDT, V.					
STIER					
TALARICO					

With D. Nuckols

DATE: _____

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as

(ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE

(RESOLUTION) No. _____ on the _____ day of _____, 19__.

ATTEST: (SEAL)

_____ _____
CITY CLERK PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the _____

day of _____, 19__, at the hour of _____ o'clock ____ M.,E.S.T.

_____
CITY CLERK

Approved and signed by me this _____ day of _____, 19__

at the hour of _____ o'clock _____ M.,E.S.T.

_____
MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on February 28, 1978, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-78-02-26; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on March 20, 1978; and,

WHEREAS, a letter requesting WITHDRAWAL of the proposed ordinance has been filed with the City Plan Commission by the petitioner;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance be withdrawn in accordance with the written request of the petitioner;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held March 27, 1978.

Certified and signed this
28th day of March 1978.

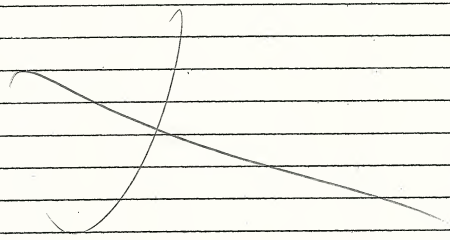
Luben Lazoff

Luben Lazoff
Secretary

Bill No. Z-78-02-26

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance amending the City of fort Wayne Zoning Map No. O-2



have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance ~~do not~~ PASS.

VIVIAN G. SCHMIDT - CHAIRMAN

JOHN NUCKOLS - VICE CHAIRMAN

WILLIAM T. HINGA

DONALD J. SCHMIDT

JAMES S. STIER

1-11-78
DATE

CONCURRED IN
CHARLES W. WESTERMAN, CITY CLERK

BUSINESS FORM—PRODUCT OF WILSON JONES

GrayLine

RECEIPT

Date February 15 1978 No. 10109

Received From Indiana Bank & Trust - Steven Lewis

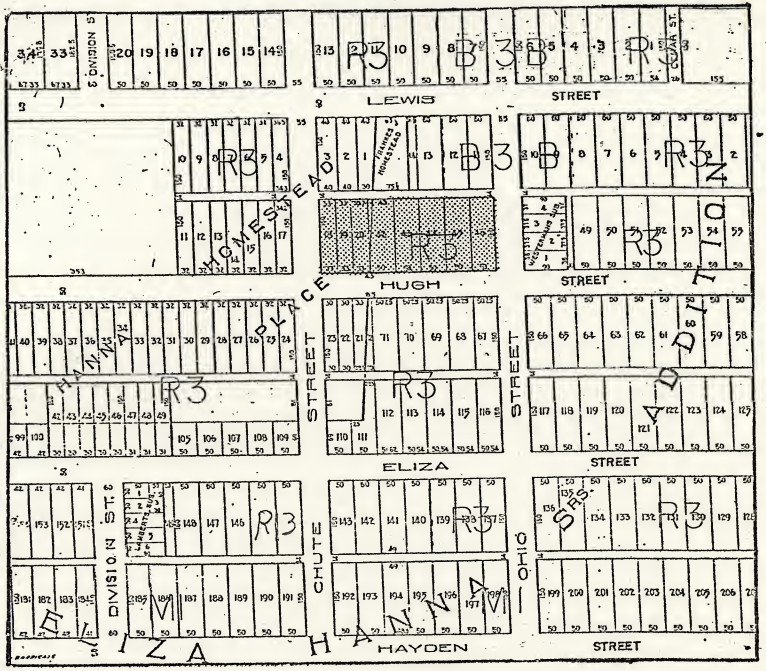
Address 1211-1241 Hugh Street

Fifty dollars & no/0 Dollars $ 50.00

For Re Zoning R-3 to M-1

ACCOUNT			HOW PAID		
AMT. OF ACCOUNT	50	00	CASH	✓	
AMT. PAID	50	00	CHECK	3742	
BALANCE DUE			MONEY ORDER		

By JJ Plan Commission



REZONE FROM R-3 TO MI

MAP NO. 0-2

Z-78-02-26

BY M.F.C. 2-16-78

N

PETITION FOR ZONING ORDINANCE AMENDMENT Receipt No. _____

TO: COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA

Date Filed _____

Intended Use _____

I/We Indiana Bank & Trust Company as Trustee
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana, by reclassifying from a/an R-3 District to a/an M-1 District the property described as follows:

See attached legal description

(Legal Description)

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

(Name)	(Address)	(Signature)
INDIANA BANK & TRUST COMPANY	116 East Berry Fort Wayne, IN 46802	INDIANA BANK & TRUST COMPANY BY: Vice President & Trust Officer

Legal Description Checked By: _____
(City Engineer)

NOTE FOLLOWING RULES:

All requests for continuances or requests that ordinances be taken under advisement shall be filed in writing in the office of the City Plan Commission by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or advisement is filed within the required time, the matter will not be put on the agenda for that meeting. It shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and inform them of the time and place of the meeting at which the ordinance will be considered. All withdrawals of ordinances must be made in writing prior to the Plan Commission's vote on the ordinance.

Name and address of preparer, attorney or agent:

(Name)	(Address)	(Telephone Number)
Stephen E. Lewis	2000 Fort Wayne Bank Bldg. Fort Wayne, IN 46802	(219) 424-2000

City Plan Commission, City-County Building, Room 800, One Main Street, Fort Wayne, Indiana 46802 Telephone Number 423-7571

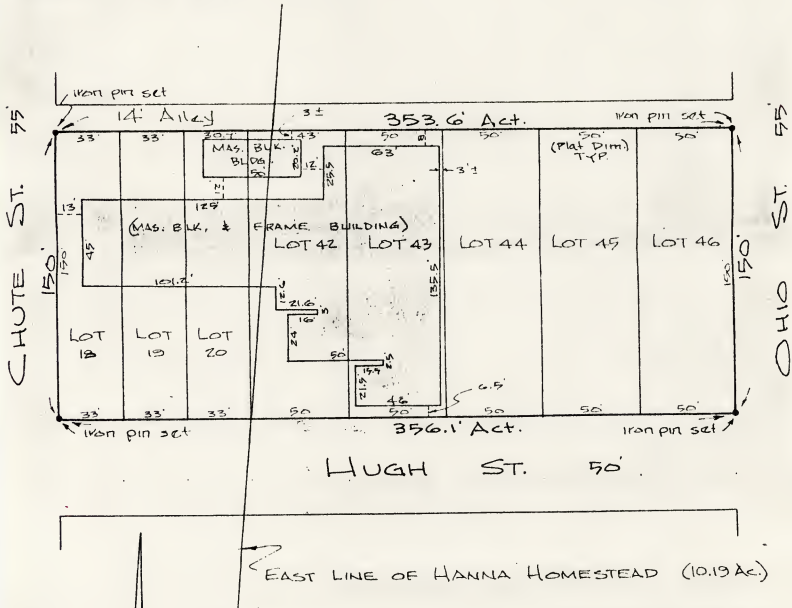
Stoody - Owens and Associates, Inc.
Registered Land Surveyors
Joseph B. Stoody Jr., L.S.
Timothy F. Owens, L.S.
Terry L. Atherton, L.S.
701 E. Columbia
Fort Wayne, Indiana
46805
(219) 422-4233

CERTIFICATE OF SURVEY

The undersigned Land Surveyor, registered under the Laws of Indiana, hereby certifies that he has made a resurvey of the real estate described and shown below. Measurements were made and monuments set in conformity with the records on file in the office of the Recorder of ALLEN County, Indiana. Any encroachments or discrepancies are shown below.

Legal description of real estate. Lots 42,43,44,45, & 46 Eliza Hanna Seniors Addition to the City of Fort Wayne, together with a tract of land described as follows, to-wit: Commencing at the northwest corner of Lot 42 in Eliza Hanna Seniors Addition to the City of Fort Wayne; thence west 12½ feet; thence south to the intersection of the east boundary line of the tract of land known as Hanna Homestead and the north line of Hugh Street, thence northerly on said east boundary line to the place of beginning, and also Lots 18,19 and 20 Hanna Homestead Place to the City of Fort Wayne, Indiana, according to the plat thereof in Plat Record 5, Page 77.

0-2



1" = 50'

The above described property does not lie within a special flood hazard area as shown in the Dept. of HUD, FIA Flood Hazard Boundary Maps for the City of Fort Wayne, Indiana.

TIMOTHY F. OWENS REGISTERED No. S0241 STATE OF INDIANA LAND SURVEYOR

All information as shown is correct to the best of my knowledge.

FOR Fox Estate

DATE JAN. 18, 1978

JOB NO. 7801-12

INDIANA BANK

915 South Clinton
Fort Wayne, Indiana 46802

Member FDIC

Trust
219/461-7416

March 22, 1978

City of Fort Wayne
City-County Building
Fort Wayne, Indiana 46802

In Re: Bill #Z-78-02-26 before the
City Planning Commission

Gentlemen:

This letter is to authorize you to remove the above-referenced bill from any further consideration for zoning change by the City Planning Commission. We, of course, thank you for all the time and effort that had previously been expended on this petition.

Very truly yours,

INDIANA BANK AND TRUST COMPANY

Charles G. Conville
Vice President and
Senior Trust Officer

CGC:pjg

3978.

Admn. Appr._____

DIGEST SHEET

TITLE OF ORDINANCE Zoning Ordinance Amendment 3-78-02-26

DEPARTMENT REQUESTING ORDINANCE Long Range Planning & Zoning - CD&P

SYNOPSIS OF ORDINANCE A parcel of land located west of Chute Street, south of Hugh Street, east of Ohio Street and bounded on the north by the east-west alley between Lewis and Hugh.

EFFECT OF PASSAGE Property is now zoned "R3" - Multiple Family Residential. Property will become "M1" - Light Industrial.

EFFECT OF NON-PASSAGE Property will remain "R3" - Multiple Family Residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) None

ASSIGNED TO COMMITTEE (J.N.)_____